Honolulu, Hawaii

Pebruary 28, 2014

RE: H.B. No. 1639 H.D. 1

Honorable Joseph M. Souki Speaker, House of Representatives Twenty-Seventh State Legislature Regular Session of 2014 State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred H.B. No. 1639 entitled:

"A BILL FOR AN ACT RELATING TO UNLICENSED CONTRACTOR FRAUD," begs leave to report as follows:

The purpose of this measure is to clarify, for purposes of establishing the offense of unlicensed contractor fraud, that the "intent to deprive" another of their property may be formed before or after the person obtains or exerts control over the property.

The Regulated Industries Complaints Office of the Department of Commerce and Consumer Affairs; Department of the Prosecuting Attorney of the County of Maui; Department of the Prosecuting Attorney of the City and County of Honolulu; Office of the Prosecuting Attorney of the County of Kauai; Office of the Prosecuting Attorney of the County of Hawaii; Contractors License Board; Hawaii Laborers' Union, Local 368; and the Subcontractors' Association testified in support of this measure.

Your Committee has amended this measure by making technical, nonsubstantive amendments for clarity, consistency, and style.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of H.B. No. 1639, as amended herein, and recommends that it pass Third Reading in the form attached hereto as H.B. No. 1639, H.D. 1.

HB1639 HD1 HSCR JUD HMS 2014-2061

STAND. COM. REP. NO. **767** -14 Page 2

Respectfully submitted on behalf of the members of the Committee on Judiciary,

KARL RHOADS, Chair

## State of Hawaii House of Representatives The Twenty-seventh Legislature

HSCR 767-14

## Record of Votes of the Committee on Judiciary

| HB 1639   | CPC, JUD | Date   |  |          |
|---|----------|--|--|----------|
| ☐ The committee is reconsidering its previ  |          |  | -110117                                    |          |
| The recommendation is to:  Pass, unamended (as is)  Pass, with amendments (HD)  Hold  Pass short form bill with HD to recommit for future public hearing (recommit) |          |  |  |          |
| JUD Members   | Ayes     | Ayes (WR)  | Nays                                       | Excused  |
| 1. RHOADS, Karl (C)   | χ        |  |  |          |
| 2. HAR, Sharon E. (VC)  | X XX     |  |  |          |
| 3. BELATTI, Della Au  | × 80+    | LANGULA TO   |  | X        |
| 4. BROWER, Tom  | <u> </u> | A SAMINOSAMINOS DE CONTRA  |  |          |
| 5. CREAGAN, Richard   | X        |  |  |          |
| 6. ITO, Ken   |          | 2 4100, w 1/40 2(12/1/25) 4 4000 MMC HIII  | WAS INDED IN COLUMN TO COURT OF THE PARTY. | <b>X</b> |
| 7. KAWAKAMI, Derek S.K.   | $\sim$   |  |  |          |
| 8. LEE, Chris   |          |  |  | $\chi$   |
| 9. NAKASHIMA, Mark M.   | X        |  |  |          |
| 10. TSUJI, Clift  | <u> </u> |  |  |          |
| 11. WOOLEY, Jessica   |          |  |  |          |
| 12. MCDERMOTT, Bob 13. THIELEN, Cynthia   |          |  |  |          |
| 15. THIELEN, Cynuna   |          | Farmer State of the State of th |  |          |
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| TOTAL (13)  | 10       |  |  | 3        |
| The recommendation is:  Adopted  If joint referral  committee acronym(s)  Adopted  did not support recommendation.  |          |  |  |          |
| Vice Chair's or designee's signature:   |          |  |  |          |
| Distribution: Original (White) – Committee Duplicate (Yellow) – Chief Clerk's Office Duplicate (Pink) – HMSO  |          |  |  |          |